THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 3094 of 2006

Dated: 18.01.2007

Between:

Ex No.15131566-W GNR (S/W), Shaikh Sirajuddin, S/o Rahimuddin, aged about 25 years, Occ: Unemployed, R/o Village: Ibrahimbagh, Post: Golkonda, Tehsil: Vijaynagar, District: Hyderabad.

..... PETITIONER

AND

The union of India, through the Secretary, Ministry of Defence, Government of India, New Delhi and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 3094 of 2006

Order:

This writ petition is filed seeking to declare the proceedings of the Summary Court Martial, dated 26.12.2003, dismissing the petitioner from service, as illegal and arbitrary.

When the matter is taken up for admission, it is submitted by both the counsel that during the pendency of the writ petition, the appeal, filed by the petitioner as against the award of the Summary Court Martial, dated 26.12.2003, was rejected on 01.02.2006, and now the petitioner intends to challenge the said rejection order passed in the appeal along with the main order of dismissal from service, dated 26.12.2003, in appropriate forum.

Since the petitioner intends to challenge the rejection order, dated 01.02.2006, passed in the appeal along with the main order of dismissal from service, dated 26.12.2003, in appropriate forum, this writ petition is dismissed granting liberty to the petitioner to challenge the same in appropriate forum. No costs.

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N.V. RAMANA, J.

Date: 18.01.2007
Nsr/Sj